

UNIVERSITY NORTH PARK BUSINESS IMPROVEMENT DISTRICT
ADVISORY BOARD MINUTES

October 2, 2015

The University North Park Business Improvement District Advisory Board met at 10:05 a.m. in the City Council Conference Room on the 2nd day of October 2015, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray 48 hours prior to the beginning of the meeting.

PRESENT: Mandy Haws
Mike Thompson
Matt Clouse
Rex Amsler
Brad Goodwin
Jennifer Alexander
Dan Quinn

ABSENT: Guy Patton
Bill Nemeth

STAFF PRESENT: Jeff Bryant, City Attorney
Kathryn Walker, Assistant City Attorney
Jud Foster, Director of Parks and Recreation
Anthony Francisco, Finance Director

OTHERS PRESENT: Austin Goodwin, Developer

Item 1, being:

INTRODUCTIONS.

The Advisory Board and others present at the meeting introduced themselves and identified what organization they are representing.

Item 2, being:

ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON.

Mr. Quinn was nominated to serve as chairperson and Ms. Mandy Haws seconded the nomination. The vote was unanimous to appoint Mr. Quinn as Chairperson. Chairperson Quinn opened the floor for nominations for Vice-Chairman. Ms. Haws made a motion that Mr. Matt Clouse be appointed as Vice-Chairman. Chairman Quinn seconded the motion. The vote was unanimous to appoint Mr. Clouse as Vice-Chairman.

Item 3, being:

REVIEW OF OPEN MEETINGS ACT.

Ms. Kathryn Walker, Assistant City Attorney, provided an overview of the Open Meeting Act and the City's resolution and code provision providing that City committees, boards and commissions meet the requirements of the Open Meeting Act.

Item 4, being:

PRESENTATION REGARDING CHARGE OF THE UNIVERSITY NORTH PARK (“UNP”) BUSINESS IMPROVEMENT DISTRICT (“BID”)

Ms. Walker gave an overview of the history of the UNP BID, including how it was created, the funding structure, current budget and assessment timeline. Mr. Mike Thompson asked whether there were consequences for failure to pay an assessment. Ms. Walker responded that an ordinance is adopted each year that officially levies the assessments and allows the City to charge interest on past due payments as well as file a lien. Ms. Walker noted that all of the first year assessments were paid in full and no liens were filed. Mr. Amsler asked whether all of the property owners paid the same amount. Ms. Walker explained that the amount of the assessment for each property is based on its taxable value. Mr. Amsler asked how the BID assessments compared to CAM (common area maintenance) fees. Ms. Walker explained they were different fees, and Mr. Brad Goodwin explained that the CAM fees pay for the maintenance of the landscaped islands and other amenities in the common areas of the development. Mr. Jeff Bryant, City Attorney, explained that the BID assessments primarily paid for maintenance of Legacy Park and other eligible expenses, including Legacy Trail. Mr. Amsler asked about the location of Legacy Trail and Ms. Walker explained that the trail went through UNP along the east side of 24th Avenue NW connecting to Rock Creek Road and crossing over the I-35 bridge. She explained that a contract to replace the missing sections would be going to City Council for approval on October 13, 2015. Mr. Amsler asked why the trail would be installed with City funds and not the BID. Mr. Bryant explained that the City received a grant that required 20% of matching City funds. Mr. Goodwin asked whether the BID would maintain the sidewalks. Ms. Walker explained that the BID would maintain the associated landscaping, etc.

Item 5, being:

PRESENTATION REGARDING THE UNP BID ADVISORY BOARD.

Ms. Walker provided an overview of the Advisory Board makeup with representation from different areas to help represent the interests of the property owners in the BID along with the interests of the City.

Item 6, being:

DISCUSSION AND CONSIDERATION OF OPERATIONAL RECOMMENDATIONS:

Discussion regarding contracts for maintenance of Legacy Park and public restrooms

Mr. Foster provided an overview of the current contracts for park maintenance and restroom maintenance. The landscaping contract is with a company called Pitzer and provides for weekly mowing, weeding and periodic fertilizing. The contract for restroom maintenance is with Dodd’s Landscape maintenance and provides for restroom and trash cleaning twice per day. Mr. Foster explained that there may be a third contract in the future for fountain maintenance. At this time, Staff is monitoring the system to better understand how often maintenance might be required. Currently, if a maintenance issue arose with the fountains, Delta, the company that manufactured and installed the fountains, would provide repairs and maintenance on an hourly basis. Delta has recommended a regular annual inspection of the pumps and other parts. Mr. Clouse asked whether Legacy Park was always planned for funding of maintenance by outside sources. Mr. Foster replied yes and noted that the level of maintenance required for Legacy is and should be more intense than in other parks.

Current operational plans for Park events

Mr. Foster explained that the City had explored leasing the operations for the amphitheater last winter, including reaching out to Sooner Theatre, Norman Arts Council and the Santa Fe Depot. So far, none of the organizations have opted to take over promotion and event management because they wanted to see how the park would function once it was open. Outside for-profit entities have also expressed interest in event management at the park but will want to charge entry fees, which could be problematic as a public park and with the open design of the park, enforcement could be difficult. Mr. Foster reported that several reservations have been made, including a performance by a church band and a wedding. Mr. Foster reported that he is working with a committee of Parks Board members to draft use policies for the Park. Currently the reservation fee is only \$100 per hour. The Board discussed marketing and promotion of the Park and Mr. Foster reported that the City of Norman has a Facebook page but there is not a page or site dedicated solely to Legacy Park at this point. Mr. Thompson asked about parking for Park patrons. Mr. Bryant explained that in the beginning the plan was to utilize shared parking, noting that this would encourage shoppers to use the Park and Park patrons to shop. The City has also explored parking off of Interstate Drive on the west side of the Park or parking over the detention pond on the NW side of the Park. Staff is monitoring the parking issue and will continue to explore solutions if they become necessary. Mr. Bryant indicated anticipation by the City that the Embassy Suites or the retailers would be actively involved in marketing or even managing Legacy Park. Mr. Amsler and Ms. Alexander said they would consider and explore the feasibility of such an arrangement.

Park development enhancements – Proposal regarding entrances into UNP area from Robinson

Ms. Walker explained that entrances on either side of 24th Avenue NW at Robinson were designed in 2013 and that the BID petition had included construction of the entrances as a possible BID expense. She explained that the City had been talking with the Developer, University Town Center, about the timing of construction of these entrances as well as a designed entrance feature for the Lifestyle Center area. The total cost was estimated in 2013 to be around \$800,000. The final design for the Robinson Street entrances could occur this spring and construction could be completed as early as Fall 2016. Ms. Walker explained that the current proposal being discussed with the Developer would split the cost for both entrances between three funding sources – Developer funds, BID funds, TIF funds for enhanced landscaping allocated under the UNP Project Plan. The Board discussed the timing of both entrances. The Lifestyle Center entrance would not be necessary until a major tenant has been identified. Mr. Clouse asked about the BID funding available for 1/3 of the expense (around \$300,000) and Mr. Bryant explained that the first year BID contribution occurred before the Park was open and so it was not needed for Park maintenance and could provide most of the BID portion of the funding. Chairman Quinn said he thought the entrances at Robinson Street should be constructed now because it will enhance the whole area and helps deliver on the expectations of the community when the TIF was adopted. Chairman Quinn made a motion to recommend the funding structure discussed (1/3 each from Developer funds, Enhanced Landscaping funds, and BID funds) for the entrances off of Robinson and the Lifestyle Center entrance, with the Robinson Street entrance occurring first. Mr. Thompson seconded the motion. Mr. Clouse pointed out that paying the BID portion of \$300,000 at once would take all of the BID funds not allocated to Legacy Park maintenance. Mr. Clouse was concerned that a more measured approach that allowed the BID funds to be contributed after assessing the need for other BID expenditures might be more prudent as opposed to paying the full \$300,000 at once to buffer against cash flow issues. Chairman Quinn agreed that perhaps the Lifestyle Center entrance should be removed from the motion and the focus of the motion should be on the Robinson Street entrance because it is needed now. The Board agreed that the Lifestyle Center entrance should be constructed when a tenant is identified and construction has begun. The motion was amended to support the funding structure discussed (1/3 each) of the Robinson Street Entrance. Mr. Clouse suggested a \$100,000 cap for BID funds based on hard construction costs estimated in 2013 to be \$231,000. The Board voted unanimously in favor of the motion.

Park development enhancements – Legacy Park operational enhancements

Mr. Bryant noted that this item was on the agenda to allow the Board to give suggestions about things that could make the Park perform better. He noted that three members of the TIF Oversight Committee had asked about speakers during the Legacy Park ribbon cutting. Mr. Foster explained that conduit was installed for speaker wiring should speakers be added at some point to the Park. Currently, events have to bring their own PA system and spotlights. Mr. Clouse inquired as to how much the speaker package would cost. Mr. Foster noted that a year ago, an estimate was provided for four large speakers under the west arbor and two speakers under the stage, and included a piece of electronic equipment to synchronize the music and water movement. The total estimate was \$50,000, with \$35,000 - \$45,000 of that being for the speakers, wiring and installation. Mr. Bryant mentioned that other operational enhancements could include seasonal plantings and Mr. Foster noted that City Parks and Recreation funds and staff are providing seasonal plantings.

Item 7, being:

TOPICS FOR FUTURE DISCUSSION.

The Board discussed items for future discussion and suggested that an update on the completion of Legacy Park, event reservations, and the funding arrangement for the entrances negotiated with the Developer be provided for the next meeting.

Item 8, being:

DISCUSSION OF REGULAR MEETING TIMES, LOCATIONS AND DATES.

Mr. Thompson suggested that the Board meet no more than one time per month and no less than once per quarter. Chairman Quinn agreed. The Board discussed meeting in one month to receive updates on the topics identified for future discussion. Mr. Clouse suggested meeting at a location close to the Park and Ms. Jennifer Alexander said she would check on scheduling a conference room at Embassy Suites for the next meeting.

Item 9, being:

MISCELLANEOUS DISCUSSION.

None.

ADJOURNMENT.

The meeting adjourned at 11:30 a.m.